

CITY OF LYNDEN

CITY COUNCIL MINUTES OF REGULAR MEETING



April 15, 2024

1. CALL TO ORDER

Mayor Korthuis called to order the April 15, 2024 regular session of the Lynden City Council at 7:00 p.m. in the city's council chambers.

PLEDGE OF ALLEGIENCE

OATH OF OFFICE – None.

ROLL CALL

Members present: Councilors Gary Bode, Lee Beld, Gary Vis, Brent Lenssen, Nick Laninga, and Kyle Strengholt.

Members absent: Councilor Wohlrab absent with notice.

Staff present: Interim Finance Director Christy Fowler, Fire Chief Mark Billmire, Parks Director Brent DeRuyter, Police Chief Steve Taylor, Public Works Director Jon Hutchings, City Clerk Pam Brown, City Administrator John Williams, and City Attorney Luke Phifer.

SUMMARY REPORTS AND PRESENTATIONS

Satpal Sidhu Whatcom County Executive and Tyler Schroeder Whatcom County Deputy Executive presented council with information concerning The Justice Project, which addresses shared funding commitments to support public safety, incarceration reduction, and plans for building a local jail. A copy of that presentation has been included in the official council file.

APPROVAL OF MINUTES

Councilor Strengholt moved, and Councilor Vis seconded, to approve the April 1, 2024 regular council minutes. Motion approved on 6-0 vote.

CITIZEN COMMENT

Cynthia Ripke-Kutsagoitz, Guide Meridian, Lynden

- Miscellaneous thoughts and opinions on building a jail, mental health services, and a meeting she attended on Saturday with state representatives.

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2. CONSENT AGENDA

Payroll Liability to April 7 through April 20, 2024

EFT & Other Liabilities

Non-L&I Liabilities

Monthly EFT	\$458,989.27
Check Liability	\$0.00
Total Non-L&I Liabilities	\$458,989.27
Quarterly Liabilities	\$28,370.13
Total EFT & Other Liabilities	\$487,359.40

Approval of Claims – April 16, 2024

Manual Warrants No.	-	through	=		\$0.00
EFT Payment Pre-Pays					\$0.00
				Sub Total Pre-Pays	\$0.00
Voucher Warrants No.	29841	through	29950		\$934,061.70
EFT Payments					\$36,823.38
				Sub Total	\$970,885.08
				Total Accts. Payable	\$970,885.08

2025 Budget Calendar

As required by RCW, there are several budget preparation deadlines as the City moves forward in preparing its year 2025 Budget. These dates are for final review and approval of the full Council. Upon approval this calendar will be distributed as presentation dates to the satellite agencies, as well as to City departments. This calendar was reviewed earlier by the Finance Committee at their April 15th meeting and approved for review by the full Council.

Award Bid for Clarifier Recoat

The City solicited bids in late 2023 to recoat the second of two clarifiers at the Wastewater Treatment Plant. This is budgeted maintenance to extend the life of these Wastewater Treatment Plant components. The first of the two clarifiers was recoated by WCCL Systems in 2023. The following two bids were received:

BrandSafway: \$422,688.00 and WCCL Systems: \$266,560.00.

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The Public Works Committee reviewed bids at their meeting on April 3, 2024, and recommended awarding the contract to WCCL Systems, the lowest responsive and responsible bidder.

Award Bid for Cedar Drive Reconstruction

Staff recently solicited bids for Cedar Drive Reconstruction. This project includes the reconstruction of the existing roadway, the construction of pedestrian ramps at Depot Rd and driveways, replacement of the existing sewer main and sewer services, and a new stormwater system.

Six (6) bids were received on April 4, 2024, as shown on the attached Bid Tabulation prepared by Reichhardt & Ebe. At the Public Works Committee meeting on April 3, 2024, the Committee concurred that the bid results could be forwarded directly to City Council after being informed of the results. The recommendation is to award the contract to DeKoster Excavating, the lowest responsive and responsible bidder, in the amount of \$1,369,247.58, which includes Washington State Sales Tax. The Engineer's Estimate was \$1,592,578.15.

Set Public Hearing to Amend LMC Title 5 and Title 9 Regarding Special Event Regulations- This item pulled from Consent Agenda.

Motion made by Councilor Vis, seconded by Councilor Bode to approve the Consent Agenda. Motion approved 6-0.

Set Public Hearing to Amend LMC Title 5 and Title 9 Regarding Special Event Regulations

The City Council will be asked to hear and consider a proposed amendment to the Lynden Municipal Code. The amendment would shift language regarding Parades and Special Events from the Criminal Code in Title 9 to Title 5 – Business Licenses and Regulation.

The amended language clarifies regulations, permit process, and approval authority for events that may have an impact on a neighborhood and/or on public services. The revised code now includes three tiers of events depending on the impact created by each event. The code will continue to regulate the activities associated with private "Dance Permits" but would categorize them as Tier 1 or Tier 2 Special Events depending on their characteristics. The revised code does not modify LMC 5.04 which prohibits dancing and the sale of intoxicating beverages at commercial establishments.

In association with the code revision staff have also been updating the application to ensure that proposals include all the necessary information such as insurance and site maps or

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routes. The application will also include detailed instructions and resources for securing insurance for private events. The proposed amendment is legislative in nature and public comment will be accepted. The proposed public hearing date is May 20, 2024.

Motion made by Councilor Vis, seconded by Councilor Lenssen to set a public hearing date of June 3, 2024, to consider proposed updates to the city's regulations of Special Events by amending LMC Title 5 and 9. Motion approved 6-0.

3. PUBLIC HEARING – None.

4. UNFINISHED BUSINESS – None.

5. NEW BUSINESS

RES-24-1094, Authorizing the Release of Checks and Electronic Payments Prior to Council Approval

Whereas, RCW 42.24.180 authorizes the issuance of checks before approval of the City Council in order to expedite payment of claims; and the City of Lynden makes payments to vendors and employees by automated clearing house (ACH) or electronic funds transfers (EFTs), and given that the City has determined that adoption of a policy for the authorization and processing of ACH/electronic funds transfers for the City is in its best interest; the Finance Department has drafted Resolution RES-24-1094 to allow the City's Finance Director to approve checks for payment and disbursement prior to the Council taking action to approve said claims. The Finance Committee discussed such a process and possible resolution at its March 18, 2024 meeting and approved the new process for review by the full Council.

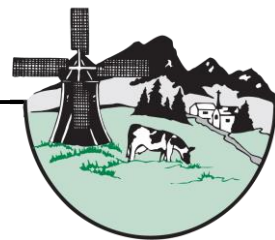
Motion made by Councilor Strengholt, seconded by Councilor Beld to approve Resolution RES-24-1094 and authorize the Mayor's signature. Motion approved 6-0.

Whatcom Community Foundation Donation Approval

The Parks Department is excited to be offered a significant donation to fund and construct a 30' by 50' timber frame pavilion and official entryway structure to Schoolyard Park located at 700 Edson Street. Whatcom Community Foundation has donations totaling \$675,000 and will disburse the funds as needed toward this privately funded and managed project. If approved by Council, the above project will begin in late summer or early fall once materials and labor have been delivered and organized by the project manager. Bob Libolt is the contact agent for the project and will oversee the project to completion; Cascade Joinery is the contractor. Harlan Kredit and Bob Libolt both addressed Council to speak in favor of the project. Councilor Vis reminded council that many of the park's projects were completed similarly to the Schoolyard Park through local donations and volunteers.

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Motion made by Councilor Vis, seconded by Councilor Laninga for Council to accept the donation and project outline from the Whatcom Community Foundation for future work at Schoolyard Park. Motion approved 6-0.

6. REPORTS

Nooksack Valley Disposal is holding the Lynden Spring Cleanup event on Saturday, April 20, from 9-12 pm. They will not charge additional for their disposal, which is basically at their cost, It is not free. Contact NVD for more information.

Gary Vis reported for the Chamber of Commerce:

- Administrative Professionals' Day is scheduled for the upcoming Wednesday at Steak House 9.
- Work is ongoing for Farmers' Day Parade and the Raspberry Festival.
- Assisting the new hotel with employment leads.

Councilor Strengholt reviewed the finance committee report.

- Christy Fowler is acting as interim finance director while the city is interviewing for the finance director position.

Councilor Bode updated council on the sewer plant tour that he attended last week. There will be another opportunity for other council members to take a tour.

7. EXECUTIVE SESSION

The Council did not hold an executive session.

8. ADJOURNMENT

April 15, 2024 regular session of the Lynden city council adjourned at 8:15 p.m.

Pamela D. Brown, City Clerk

Scott Korthuis, Mayor